

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Barany et al.

Serial No. : 08/794,851

Cnfrm. No. : 7129

Filed : February 4, 1997

For : DETECTION OF NUCLEIC ACID
SEQUENCE DIFFERENCES USING THE
LIGASE DETECTION REACTION WITH
ADDRESSABLE ARRAYS

Examiner:
P. Ponnaluri

Art Unit:
1627

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202
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Dear Sir:

Petitioners, Cornell Research Foundation, Inc., Regents of the University of Minnesota, and Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, are collectively the owners of 100 percent interest in the instant application. Petitioners hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Nos. 6,027,889 and 6,268,148. Petitioners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patents, as

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presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The assignees of the entire right, title and interest of the above-identified application, hereby confirm that an assignment to Cornell Research Foundation, Inc. for the subject application was recorded on July 14, 1997, at Reel 8609/Frame 0541 in the U.S. Patent and Trademark Office, an assignment to Regents of the University of Minnesota for the subject application was recorded on September 2, 1997, at Reel 8695/Frame 0453, and an assignment to Board of Supervisors of Louisiana State University and Agricultural and Mechanical College for the subject application was recorded on July 14, 1997, at Reel 8609/Frame 0578.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignees identified above.

For submission on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

Enclosed is a check for \$110 to cover the terminal disclaimer fee under 37 CFR § 1.20(d). Please charge any additional fees or credit any overpayment to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: July 1, 2002



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